

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

BARDON, INC., d/b/a AGGREGATE)	
INDUSTRIES)	
Petitioner/Cross-Respondent)	
)	
v.)	Consolidated Case Nos.
)	22-1340 & 22-1421
NATIONAL LABOR RELATIONS BOARD)	
Respondent/Cross-Petitioner)	
)	
and)	
)	
INTERNATIONAL BROTHERHOOD OF)	
BOILERMAKERS, IRON SHIP BUILDERS,)	
BLACKSMITHS, FORGERS AND HELPERS,)	
AFL-CIO, CLC)	
Intervenor)	

UNOPPOSED MOTION FOR 14-DAY EXTENSION OF TIME
TO FILE BRIEF

To the Honorable, the Judges of the United States
Court of Appeals for the Fourth Circuit:

The National Labor Relations Board (“the Board”), by its Deputy Associate General Counsel, and with the consent of Bardon, Inc. d/b/a Aggregate Industries (“the Company”) and International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, AFL–CIO, CLC (“the Union”), respectfully moves the Court to grant a 14-day extension of time from August 12, 2022, to and including August 26, 2022, for filing its brief in this case and to

extend the remainder of the briefing schedule accordingly. In support of its motion, the Board shows as follows:

1. On May 13, 2022, the Court issued an initial briefing schedule in this case with the Company's opening brief due on June 22 and the Board's brief due on July 22.

2. On June 17, the Company filed an unopposed motion for a 21-day extension of the briefing schedule. The Court granted the Company's motion, extending the briefing schedule with the Company's opening brief due on July 13 and the Board's brief due on August 12.

3. On July 13, the Company filed its opening brief.

4. Brady Francisco-FitzMaurice, the Board attorney with primary responsibility for drafting the Board's brief in this case, is unexpectedly out of the office and on leave due to COVID-19 and is unable to complete preparation of the Board by the current due date of August 12.

5. The Board has not previously requested an extension for filing its brief in this case.

6. Oral argument has not been scheduled.

7. The Board has contacted counsel for the Company and the Union who have stated that they do not oppose this motion.

WHEREFORE, the Board respectfully requests that the Court grant this unopposed motion and extend the time for filing its brief to and including August 26, 2022 and extend the remainder of the briefing schedule accordingly.

Respectfully submitted,

/s/ Ruth E. Burdick

Ruth E. Burdick

Deputy Associate General Counsel

NATIONAL LABOR RELATIONS BOARD

1015 Half Street, SE

Washington, DC 20570

(202) 273-2960

Dated at Washington, DC
this 8th day of August 2022

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 27(d)(2), the Board certifies that its document contains 303 words of proportionally spaced, 14-point type, and that the word processing system used was Microsoft Word 2016.

/s/ Ruth E. Burdick
Ruth E. Burdick
Deputy Associate General Counsel
NATIONAL LABOR RELATIONS BOARD
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CERTIFICATE OF SERVICE

I hereby certify that August 8th, 2022, I filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Fourth Circuit by using the CM/ECF system. I certify that the foregoing document was served on all parties or their counsel of record through the appellate CM/ECF system.

/s/ Ruth E. Burdick
Ruth E. Burdick
Deputy Associate General Counsel
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